

Taha Jabir al-Awani

The Ethics of Disagreement in Islam: A Tribute to Taha Jabir al-Awani

by

Marina Munira Abdul Mutalib

Introduction

The Ethics of Disagreement is one of the magnum opus that has never failed to give a remarkable contribution to Islam and Muslim literature. It was once recognized by Dr Taha Jabir himself that it is like a remedy to the Muslim World, whose life has been impacted with the disease of discord due to wrong understanding of the ethics of disagreement (*adāb al-Ikhtilāf*). The book has been translated into many languages, published several times due to its demand and importance of its message. Taha Jabir, when he wrote this book, he was not aware of its consequences, rather his intention was more toward realizing the message of Islam, yet it eventually turned out to be magnificent. Dr Taha Jabir was born in Iraq in 1935, and died recently on March 4, 2016 at the age of 81. He was indeed a renowned Muslim scholar, who contributed immensely in Islamic legal theory, jurisprudence (*fiqh*), Qur'anic sciences and Islamic thought. Some of his great contributions are *Taqlīd* and *Ijtihād*, *Towards an Islamic Alternative in Thought and Knowledge*, *Taqlīd* and the Stagnation of the Muslim Mind, *The Crisis of Thought* and *Ijtihād*.

Although, the theme of this book (*adāb al-Ikhtilāf*) relies very much on the classical Jurists, it undeniably provides an introduction to the subject of disagreement in general. As Taha Jabir emphasized, it can be useful for Muslims in contemporary time, as to relate with the excellent personalities propounded by the Prophet SAW in his beloved Companions, and forwarded in later generations of *tabiʿ*, and *tabiʿ t̃abiʿīn*. These values are precious that we have to put it back into restoration particularly when the Muslims were split into many divisions due to the political pressure and other circumstances. Many fragments were noticeable and had divided the Muslims, as each and every group took different or opposing directions towards each other, and thus fractured the society. Much worse, some of these so-called Islamic groups went too far in justifying their “Islamic” move by declaring others with many labels and identification in support of their claim to Islam. Such an attitude of accusing Muslims as “disbelievers”, “apostates” and “heretics” were rampant during his time and unfortunately the same attitude has been flourishing in this particular period of time. Therefore, the message laid down by Taha Jabir needs some kind of reappraisal that we Muslims need to look back into the message of this book.

Judicial Disagreement of Early *Fuqaha*

Taha Jabir had attempted to lay down the values of the early scholars in Islam in facing up with differences, particularly by analysing some instances of judicial disagreement among the early *fuqaha*'. It is of great importance to expose the Muslims that differences during this time were very common and were encouraged by the *dīn*, Islam. Yet, they need to be grounded with certain *adāb*: not to transgress the limits stipulated by Islam and more importantly, not to disrupt the unity of the Muslim brotherhood. In fact, differences among the Islamic jurists were considered as bounty and mercy (*rahmah*) to human beings, that more justifications are taken into consideration in Islam due to the value of *rahmah* and *murūnah* (flexibility) in Islamic jurisprudence (*fiqh*). But, somehow the spirit of looking forward into the *maṣlahah* of the ummah has been left out, and overshadowed by particular interests and quest of some individuals and groups. At the end, it has given tremendous impacts on Islamic brotherhood and becoming a disease to Muslim community of late. Hatred, blatant accusations and immorality started to overcome the Muslim minds and attitudes: Muslims are no more like one unit of structure (*bunyānun marṣuṣ*) that was once cherished by the beloved Prophet SAW; supporting and encouraging each other in religion and life.

Differences as Wisdom (*Hikmah*)

One of the messages that Taha Jabir attempts to put preference was that differences among Muslims were perceived as great wisdom to Islam. He has given some identifications i.e. the spectrums of disagreement, as it implies different meanings and nature of *ikhtilāf* (disagreement). In fact, within the discipline and history of Islamic jurisprudence, some values were perpetuated such as dialectics (*jadal*) and dissension (*shiqāq*) in consequence of encountering various schools of thoughts (*mazhab*) that eventually lead to Taha Jabir's dichotomy of "acceptable and unacceptable differences." There are particular guidelines stipulated for the Muslims not transgress in their differences.

Taha Jabir had been so brilliant to present the life of the Companions, whom he viewed as capable of God-fearing Ummah par excellence, yet they were too, differed on many issues. The Companions were recognized as the community moulded by the Prophet SAW through the Book of Guidance and the Sunnah of His Messenger. The differences among them include the disagreement of the Companions over the authenticity of the death of the Prophet SAW, where to bury the beloved Prophet SAW, who should succeed him and the controversy over the *zakah* payment. Taha Jabir, has brilliantly put forward these values of the Companions in a meaningful way. This is because he managed to emphasize on the difference between the Companions and the Muslims of late, that their disagreements were motivated by the pursuit of knowledge and Truth, intellectual rigor and the demand of faith not by selfishness (*ghurūr*) or other personal interests.

Etiquettes to invoke Differences among Muslims

Toha Jabir listed down several important norms or etiquettes that guided the Companions. There are at least seven main points:

1. The first norm is to avoid differences in any matters as much as possible.
2. If, they were to differ, they would be firm in the view in so much that the conditions allowed them to do so, and not to transgress the limits. This is due as the intellectual quest was driven by the motive of Truth and correct judgment and thus anyone, without the feeling of embarrassment would admit their mistake and finally accepted the truth from any possible means.
3. Brotherhood is the main lesson that has been taught by the beloved Prophet SAW and religion of Islam. It should be preferred in any circumstances than the mere trivial differences.
4. It is also very important to note that matters concerning the fundamental tenets of Islamic belief were not subject of disputation.
5. Consultation among the Companions are vital as to reach consensus.
6. The reciters of the Qur'an the jurists (*fuqahā'*) played an important role in the society. They were given due reverence and were treated influential in the society, as much as the leaders.
7. Corrections of one's judgment were regarded as a form of assistance and virtue (*khair*). They were not taken as a mere mistake that condemn one's reputation.

Conclusion

From the above discussion, it is highlighted in Taha Jabir's *The Ethics of Disagreement in Islam* that Muslims should be aware of the threats of dispute. One of them, which has been warned by Ibn Mas'ud is that discord is evil, and therefore, forbidden in Islam. Similarly, the same message has been underscored in the Qur'an when some people undertake different views, "some of them attained to faith, while others came to deny the truth" (2:253). In fact, the Prophet SAW had also warned the Muslims of the demise of the previous community that "the Israelites perished only because of their excessive questioning and their disputes over their prophets." Indeed, Taha Jabir has outlined remarkable guidelines for Muslims to emulate so that they are aware of the consequences of dispute. The major consequence would be is that the Muslims will never be united, and that personal interest due to political differences and circumstances, are preferable against the fundamentals in Islam. This has been the same during the time of al-Ghazālī since the split of intellectual and political leadership, Muslims were trembling with blind *taqlid* (imitation) and the conflict of sternness and sterility while looking for directions. This book *The Ethics of Disagreement in Islam* should be read by all so that the Muslims will not deprive of unity and brotherhood in spite of our many differences.

May Allah bless his soul. Amin!

Marina Munira Abdul Mutalib

Akidah and Religion Studies

USIM.

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